STATE LAW LIBRARY OF MONTANA

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Legislative History – Montana Session Law

Chapter: 47 Session L: 2009

Bill Number: HB 61

Checklist of Bill History

History and Final Status Sheet	☑
Introduced Bill	☑
Fiscal Note	☑
Third Reading Bill	☐
Final Version of Bill	☐

House

Committee: Local Government

Hearing Date(s): 1/13/2009

Committee Report: 1/20/2009

Senate

Committee: Local Government

Hearing Date(s): 3/4/2009

Committee Report: 3/4/2009

Conference Committee

Hearing Date(s):

Conference Committee Report:

Compiler Notes

Compiled by: SK Marshall

Date: 10/1/2025

Notes: Audio/Video recordings can be found here: https://sg001-harmony.sliq.net/00309/Harmony/en

Thank you!

AN ACT REVISING CERTAIN PROVISIONS OF THE INFORMATION ACCESS MONTANA ACT; REPLACING THE INTERLIBRARY LOAN REIMBURSEMENT PROGRAM WITH A STATEWIDE INTERLIBRARY RESOURCE-SHARING PROGRAM; REPLACING THE STATE MULTILIBRARY CARD WITH A STATEWIDE LIBRARY ACCESS PROGRAM; AMENDING SECTIONS 22-1-301, 22-1-328, 22-1-329, AND 22-1-330, MCA; AND PROVIDING AN EFFECTIVE DATE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 22-1-301, MCA, is amended to read:

"22-1-301. Definitions. Unless otherwise provided, the following definitions apply in this part:

(1) "City" means city or town.

(2) "Commission" means the state library commission.

(3) "Public library" means a library created under:

(a) 22-1-303 through 22-1-317 that provides library services to the public by means of central facilities, branch facilities, or bookmobiles; or

(b) Title 7.

~~(4) "State multilibrary card" means a card that is issued to a Montana resident by a public library created under Title 7 or under 22-1-303 and that may be used for library services in every public library in the state.~~"

Section 2. Section 22-1-328, MCA, is amended to read:

"22-1-328. ~~State~~ Statewide interlibrary ~~loan~~ resource-sharing program ~~-- reimbursement -- eligibility.~~ ~~(1) Each Montana library eligible for reimbursement under this section for participation in the statewide interlibrary loan program must be reimbursed according to the rules adopted by the commission.~~

~~(2) Libraries eligible for interlibrary loan reimbursement under this section include~~ The commission shall establish a statewide interlibrary resource-sharing program. The purpose of the program is to administer funds appropriated by the legislature to support and facilitate resource-sharing among libraries in Montana, including but not limited to public libraries, public library districts, libraries operated by public schools or school districts, libraries operated by public colleges or universities, tribal libraries, libraries operated by public agencies for

institutionalized persons, and libraries operated by nonprofit, private medical, educational, or research institutions.

~~(3) Notwithstanding subsections (1) and (2), the following types of interlibrary loans are not eligible for reimbursement:~~

~~(a) a loan between public school libraries located within the same public school district;~~

~~(b) a loan between an elementary school library and a high school library located within school districts with overlapping school district boundaries;~~

~~(c) a loan between libraries administered by a public or private, nonprofit college or university; and~~

~~(d) a loan between libraries administered by a public library.~~"

Section 3. Section 22-1-329, MCA, is amended to read:

"22-1-329. ~~State multilibrary card~~ Statewide library access program. The commission shall develop a voluntary statewide library access program ~~to allow Montana libraries to issue to residents a state multilibrary card as defined in 22-1-301~~ whereby a participating library may allow access to the library's materials and services by patrons registered and in good standing with another library."

Section 4. Section 22-1-330, MCA, is amended to read:

"22-1-330. Commission rulemaking authority. The commission may adopt rules and procedures for:

(1) the distribution of state aid to public libraries and public library districts on a per capita and per square mile basis, as provided in 22-1-327;

(2) ~~issuance of state multilibrary cards~~ the statewide library access program provided for in 22-1-329;

(3) ~~reimbursement for interlibrary loan lending~~ the statewide interlibrary resource-sharing program provided for in 22-1-328;

(4) distribution of base grants provided for in 22-1-331; and

(5) the composition of the library federation board of trustees, as provided in 22-1-404."

Section 5. Notification to tribal governments. The secretary of state shall send a copy of [this act] to each tribal government located on the seven Montana reservations and to the Little Shell Chippewa tribe.

Section 6. Effective date. [This act] is effective July 1, 2009.

- END -

I hereby certify that the within bill,
HB 0061, originated in the House.

Chief Clerk of the House

Speaker of the House

Signed this _____ day
of _____, 2019.

President of the Senate

Signed this _____ day
of _____, 2019.

HOUSE BILL NO. 61

INTRODUCED BY J. SESSO

BY REQUEST OF THE STATE LIBRARY COMMISSION

AN ACT REVISING CERTAIN PROVISIONS OF THE INFORMATION ACCESS MONTANA ACT; REPLACING THE INTERLIBRARY LOAN REIMBURSEMENT PROGRAM WITH A STATEWIDE INTERLIBRARY RESOURCE-SHARING PROGRAM; REPLACING THE STATE MULTILIBRARY CARD WITH A STATEWIDE LIBRARY ACCESS PROGRAM; AMENDING SECTIONS 22-1-301, 22-1-328, 22-1-329, AND 22-1-330, MCA; AND PROVIDING AN EFFECTIVE DATE.

Exported Data

Date	Action	Committee	Votes (Yes)	Votes (No)	Media
03/24/09	Chapter Number Assigned				
03/23/09	(H) Signed by Governor				
03/13/09	(H) Transmitted to Governor				
03/13/09	(S) Signed by President				
03/13/09	(H) Signed by Speaker				
03/12/09	(H) Returned from Enrolling				
03/11/09	(C) Printed - New Version Available				
03/11/09	(H) Sent to Enrolling				
03/10/09	(S) Returned to House				
03/10/09	(S) 3rd Reading Concurred		48	0	
03/10/09	(S) Scheduled for 3rd Reading				
03/09/09	(S) 2nd Reading Concurred on Voice Vote		46	2	
03/09/09	(S) Scheduled for 2nd Reading				
03/05/09	(S) Committee Report--Bill Concurred	(S) Local Government			
03/05/09	(S) Committee Executive Action--Bill Concurred	(S) Local Government	9	0	
03/04/09	(S) Hearing	(S) Local Government			
02/23/09	(S) First Reading				
02/20/09	(S) Referred to Committee	(S) Local Government			
01/24/09	(H) Transmitted to Senate				
01/23/09	(H) 3rd Reading Passed		97	2	
01/23/09	(H) Scheduled for 3rd Reading				
01/22/09	(H) 2nd Reading Passed		93	6	
01/22/09	(H) Scheduled for 2nd Reading				
01/21/09	(H) Committee Report--Bill Passed	(H) Local Government			
01/21/09	(H) Committee Executive Action--Bill Passed	(H) Local Government	18	0	
01/13/09	(H) Hearing	(H) Local Government			
01/07/09	(H) Fiscal Note Printed				
01/05/09	(H) First Reading				
01/05/09	(H) Fiscal Note Received				
12/12/08	(H) Referred to Committee	(H) Local			

Date	Action	Committee	Votes (Yes)	Votes (No)	Media
		Government			
12/12/08	(H) Fiscal Note Requested				
12/11/08	(C) Introduced Bill Text Available Electronically				
12/11/08	(H) Introduced				
11/14/08	(C) Pre-Introduction Letter Sent				
11/13/08	(C) Draft in Assembly/Executive Director Review				
11/07/08	(C) Bill Draft Text Available Electronically				
11/07/08	(C) Draft in Input/Proofing				
11/07/08	(C) Draft to Drafter - Edit Review				
11/07/08	(C) Draft in Edit				
11/07/08	(C) Draft in Legal Review				
10/27/08	(C) Draft Back for Redo				
09/16/08	(C) Draft to Requester for Review				
09/10/08	(C) Fiscal Note Probable				
09/10/08	(C) Draft Request Received				

GOVERNOR'S OFFICE OF BUDGET AND PROGRAM PLANNING

Fiscal Note 2011 Biennium

Bill #	HB0061	**Title:**	Revise interlibrary program
Primary Sponsor:	Sesso, Jon C	**Status:**	As Introduced

☐ Significant Local Gov Impact ☐ Needs to be included in HB 2 ☐ Technical Concerns

☐ Included in the Executive Budget ☐ Significant Long-Term Impacts ☐ Dedicated Revenue Form Attached

FISCAL SUMMARY

	FY 2010 Difference	FY 2011 Difference	FY 2012 Difference	FY 2013 Difference
Expenditures:				
General Fund	$0	$0	$0	$0
Revenue:				
General Fund	$0	$0	$0	$0
Net Impact-General Fund Balance	$0	$0	$0	$0

Description of fiscal impact: There is no fiscal impact to the state related to HB 0061.

FISCAL ANALYSIS

Assumptions:

HB 61 revises certain provisions of the Information Access Montana Act; replaces the interlibrary loan reimbursement program with a statewide interlibrary resource-sharing program; and replaces the state multilibrary card with a statewide library access program. Currently there is an appropriation of $197,771 for the interlibrary program included in HB 2 and there is no current funding for the multilibrary card program. HB 61 does not change the appropriation.

Sponsor's Initials	*Date*	*Budget Director's Initials*	*Date*

HOUSE BILL NO. 61

INTRODUCED BY J. SESSO

BY REQUEST OF THE STATE LIBRARY COMMISSION

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING CERTAIN PROVISIONS OF THE INFORMATION ACCESS MONTANA ACT; REPLACING THE INTERLIBRARY LOAN REIMBURSEMENT PROGRAM WITH A STATEWIDE INTERLIBRARY RESOURCE-SHARING PROGRAM; REPLACING THE STATE MULTILIBRARY CARD WITH A STATEWIDE LIBRARY ACCESS PROGRAM; AMENDING SECTIONS 22-1-301, 22-1-328, 22-1-329, AND 22-1-330, MCA; AND PROVIDING AN EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 22-1-301, MCA, is amended to read:

"22-1-301. Definitions. Unless otherwise provided, the following definitions apply in this part:

(1) "City" means city or town.

(2) "Commission" means the state library commission.

(3) "Public library" means a library created under:

(a) 22-1-303 through 22-1-317 that provides library services to the public by means of central facilities, branch facilities, or bookmobiles; or

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libraries operated by public colleges or universities, tribal libraries, libraries operated by public agencies for institutionalized persons, and libraries operated by nonprofit, private medical, educational, or research institutions.

~~(3) Notwithstanding subsections (1) and (2), the following types of interlibrary loans are not eligible for reimbursement:~~

~~(a) a loan between public school libraries located within the same public school district;~~

~~(b) a loan between an elementary school library and a high school library located within school districts with overlapping school district boundaries;~~

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"22-1-329. ~~State multilibrary card~~ Statewide library access program. The commission shall develop a voluntary statewide library access program ~~to allow Montana libraries to issue to residents a state multilibrary card as defined in 22-1-301~~ whereby a participating library may allow access to the library's materials and services by patrons registered and in good standing with another library."

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(2) ~~issuance of state multilibrary cards~~ the statewide library access program provided for in 22-1-329;

(3) ~~reimbursement for interlibrary loan lending~~ the statewide interlibrary resource-sharing program provided for in 22-1-328;

(4) distribution of base grants provided for in 22-1-331; and

(5) the composition of the library federation board of trustees, as provided in 22-1-404."

NEW SECTION. **Section 5. Notification to tribal governments.** The secretary of state shall send a copy of [this act] to each tribal government located on the seven Montana reservations and to the Little Shell Chippewa tribe.

NEW SECTION. **Section 6. Effective date.** [This act] is effective July 1, 2009.

- END -

AN ACT REVISING CERTAIN PROVISIONS OF THE INFORMATION ACCESS MONTANA ACT; REPLACING THE INTERLIBRARY LOAN REIMBURSEMENT PROGRAM WITH A STATEWIDE INTERLIBRARY RESOURCE-SHARING PROGRAM; REPLACING THE STATE MULTILIBRARY CARD WITH A STATEWIDE LIBRARY ACCESS PROGRAM; AMENDING SECTIONS 22-1-301, 22-1-328, 22-1-329, AND 22-1-330, MCA; AND PROVIDING AN EFFECTIVE DATE.

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~~(b) a loan between an elementary school library and a high school library located within school districts with overlapping school district boundaries;~~

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Section 4. Section 22-1-330, MCA, is amended to read:

"22-1-330. Commission rulemaking authority. The commission may adopt rules and procedures for:

(1) the distribution of state aid to public libraries and public library districts on a per capita and per square mile basis, as provided in 22-1-327;

(2) ~~issuance of state multilibrary cards~~ the statewide library access program provided for in 22-1-329;

(3) ~~reimbursement for interlibrary loan lending~~ the statewide interlibrary resource-sharing program provided for in 22-1-328;

(4) distribution of base grants provided for in 22-1-331; and

(5) the composition of the library federation board of trustees, as provided in 22-1-404."

Section 5. Notification to tribal governments. The secretary of state shall send a copy of [this act] to each tribal government located on the seven Montana reservations and to the Little Shell Chippewa tribe.

Section 6. Effective date. [This act] is effective July 1, 2009.

- END -

I hereby certify that the within bill,
HB 0061, originated in the House.

Chief Clerk of the House

Speaker of the House

Signed this _____ day
of _____, 2019.

President of the Senate

Signed this _____ day
of _____, 2019.

HOUSE BILL NO. 61

INTRODUCED BY J. SESSO

BY REQUEST OF THE STATE LIBRARY COMMISSION

AN ACT REVISING CERTAIN PROVISIONS OF THE INFORMATION ACCESS MONTANA ACT; REPLACING THE INTERLIBRARY LOAN REIMBURSEMENT PROGRAM WITH A STATEWIDE INTERLIBRARY RESOURCE-SHARING PROGRAM; REPLACING THE STATE MULTILIBRARY CARD WITH A STATEWIDE LIBRARY ACCESS PROGRAM; AMENDING SECTIONS 22-1-301, 22-1-328, 22-1-329, AND 22-1-330, MCA; AND PROVIDING AN EFFECTIVE DATE.

MINUTES

MONTANA HOUSE OF REPRESENTATIVES
61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON LOCAL GOVERNMENT

Call to Order: By Chairwoman Elsie Arntzen, on January 13, 2009 at 3:00 P.M., in Room 172 Capitol.

ROLL CALL

Members Present:

Rep. Elsie Arntzen, Chairman (R)
Rep. Betsy Hands, Vice Chairman (D)
Rep. Gary MacLaren, Vice Chairman (R)
Rep. Arlene Becker (D)
Rep. Gerald Bennett (R)
Rep. Tom Berry (R)
Rep. Robyn Driscoll (D)
Rep. Bob Ebinger (D)
Rep. Wanda Grinde (D)
Rep. Robin Hamilton (D)
Rep. Pat Ingraham (R)
Rep. Mike Menahan (D)
Rep. Michael More (R)
Rep. Scott Reichner (R)
Rep. Michele Reinhart (D)
Rep. Gordon Vance (R)

Members Excused: Rep. Diane Sands (D)
Rep. Wayne Stahl (R)

Members Absent: None.

Staff Present: Katie Butcher, Committee Secretary
Joe Kolman, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:
Hearing & Date Posted: HB 61, HB 181
Executive Action: HB 181, HB 45

00:00:01 Meeting called to order

HEARING ON HB 61

Opening Statement by Sponsor:

00:02:28 Rep. Jon Sesso (D), HD 76, opened the hearing on HB 61, Revise interlibrary program.

Proponents' Testimony:

00:05:55 Darlene Staffeldt, State Librarian, State Library Commission
EXHIBIT(loh07a01)
00:11:56 Ron Moody, Lewistown, MT., Vice Chair, Montana State Library Commission
00:16:43 Lois Fitzpatrick, Montana Library Association
EXHIBIT(loh07a02)

(Rep. Stahl arrived)

00:18:33 John Finn, Hearst Free Library, Public Library of Anaconda
EXHIBIT(loh07a03)
00:19:25 Linda Stoll, Missoula County
00:19:53 Judy Hart, Lewis and Clark Library, Broad Valleys Federation of Libraries
00:20:57 Honore Bray, Missoula Public Library, Tamarack Federation
EXHIBIT(loh07a04)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:23:17 Rep. Ingraham
00:23:35 Ms. Staffeldt
00:23:51 Rep. Ingraham
00:24:15 Ms. Staffeldt
00:25:13 Rep. Ingraham
00:25:32 Ms. Staffeldt
00:26:34 Rep. Ingraham
00:26:47 Ms. Staffeldt
00:27:17 Rep. Berry
00:27:23 Rep. Sesso
00:27:24 Rep. Berry

00:27:34 Rep. Sesso
00:29:46 Rep. Menahan
00:30:41 Ms. Staffeldt
00:32:03 Chairwoman Arntzen
00:32:09 Rep. Menahan
00:32:14 Chairwoman Arntzen
00:32:49 Rep. Sesso
00:34:03 Chairwoman Arntzen
00:34:12 Rep. Sesso
00:34:15 Chairwoman Arntzen

Closing by Sponsor:

00:34:21 Rep. Sesso

HEARING ON HB 181

Opening Statement by Sponsor:

00:36:59 Rep. Ken Peterson (R), HD 46, opened the hearing on HB 181, Authorize design-build water and sewer districts.
EXHIBIT(loh07a05)

Proponents' Testimony:

00:42:38 Richard Larsen, Former Mayor of Billings
EXHIBIT(loh07a06)
00:48:25 Rep. William Glaser, HD 44, Huntley
00:51:55 Cary Hegreberg, Montana Contractors Association
00:54:34 Gary Forester, Lockwood Sewer and Water Board

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:56:52 Rep. Ingraham
00:57:37 Mr. Larsen
00:57:58 Rep. Berry
00:58:30 Mr. Hegreberg
00:59:17 Rep. Berry
00:59:36 Mr. Hegreberg
01:00:19 Rep. Stahl
01:01:45 Rep. Peterson
01:02:26 Rep. Vance
01:02:45 Rep. Peterson
01:03:21 Rep. Vance

Closing by Sponsor:

01:03:36 Rep. Peterson

01:05:17 Chairwoman Arntzen

EXECUTIVE ACTION ON HB 45

01:06:10 **Motion/Vote**: Rep. Ingraham moved that **HB 45 DO PASS.** Motion carried unanimously by voice vote. Rep. Sands and Rep. Hands voted by proxy.

01:07:54 Rep. Ingraham
01:08:06 Rep. More

EXECUTIVE ACTION ON HB 181

01:08:29 **Motion/Vote**: Rep. Stahl moved that **HB 181 DO PASS.** Motion carried unanimously by voice vote. Rep. Sands and Rep. Hands voted by proxy.

01:09:00 Chairwoman Arntzen
01:10:05 Rep. Ebinger
01:10:10 Chairwoman Arntzen

Additional Document
Map explaining Tamarack and Golden Plains library federation

ADJOURNMENT

01:10:35 Adjournment

_____
Katie Butcher, Secretary

kb

Additional Documents:

EXHIBIT(loh07aad.pdf)

EXHIBIT 1
DATE 1-13-2009
HB HB 61

January 13, 2009

Chairperson Arntzen, members of the Committee for the record my name is Darlene Staffeldt (S t a f f e l d t) and I am your State Librarian.

I am here today on behalf of the Montana State Library Commission to ask you to support HB 61. I want to thank Representative Sesso for his willingness to carry this piece of Legislation for us. The State Library Commission has directed me to move forward legislative revisions to the Information Access Montana statute as recommended by two of our statewide advisory groups (the Fulfillment Task Force and the Network Advisory Council).

Providing the best possible library services to all Montana citizens has always required Montana libraries to share their resources. Since 1989, when the Montana State Legislature first passed The Information Access Montana Act, many additional methods for sharing Montana's library resources have emerged. The Commission is asking for statute changes so that they have the flexibility to make current monies available for alternative resource sharing methods.

We are proposing to amend four sections of existing Montana library statues.

In Section 1 (MCA 22-1-301) we want to clarify the definition of public library in Montana by including public libraries established under Title 22 and Title 7. Although most Montana public libraries are established under title 22, we have a handful that were established under title 7 and we want to make sure that they can legally be included in our services and efforts.

In Section 2 (MCA 22-1-328) we propose a change to the interlibrary loan reimbursement program language that would establish a statewide interlibrary resource-sharing program. This would allow the Commission to administer funds appropriated by the legislature to support and facilitate a broader scope of resource-sharing options among libraries in Montana. Types of resource sharing options that could be consider but not limited to would include interlibrary loan reimbursement, shared catalogs, statewide bibliographic databases, cooperative collection development, courier or delivery services

In Section 3 (MCA 22-1-329) we propose to change the state multilibrary card program to a statewide library access program. This would allow the creation of a voluntary statewide library access program whereby a participating library <u>may</u> allow direct access to the library's materials and services by users from another libraries' service area population.

Section 4 (MCA 22-1-330) changes the titles of the programs for which the State Library Commission would retain rule making authority.

After the 2007 session when we realized that we did not necessarily have the support from our library community to make these statute changes, I established a 14 member Fulfillment Task Force of Librarians from across the state to study the issues and make recommendations for solutions and/or enhancements. The Task Force materials can be found on our website under the heading about MSL(at: http://www.msl.mt.gov/About_MSL/fulfillment_task_force/fulfillment_tf.asp) The Task Force worked for a little over a year from June 2007 until July 2008. Their recommendations were passed on to the Network Advisory Council and finally the State Library Commission.

Public input was formally requested three times during the Fulfillment Task study year, and then again three times since as the Commission made it's decision to move forward on the legislative changes. My staff and I traveled the state to meet with librarians and library trustees to further consider their input. Finally, in October, A formal online web survey was taken and although we still do not have 100% support of the legislative changes, we do have over 90% support. For some Montana libraries the current system is not broken and they do not see the bigger picture of how having more options can provide better library services for all Montanans, but the majority of Montana's librarians recognize the value in having the flexibility that the legislative changes will provide.

I request that this Committee support HB 61. I want to thank the Committee for their time today, as well as their efforts through the years for Montana's libraries and their users.

I would be glad to respond to any questions if you have any at any time.

Thank you

Written copy of Testimony presented to House Local Government Committee, Tuesday, January 13, 2009

From: Darlene Staffeldt
State Librarian
406-444-3116

EXHIBIT 2
DATE 1-13-2009
HB HB 61

Committee on Local Government

HB 061 – Revise Interlibrary Program – Representative Jon Sesso

For the record, my name is Lois Fitzpatrick and I represent the Montana Library Association which has over 500 members in all types of libraries in Montana, such as public, school, academic, tribal and special libraries.

MLA thanks Representative Jon Sesso for carrying this bill for the Montana State Library and is in support of this legislation.

This is a very important piece of legislation for libraries in the state. This bill will allow greater flexibility in the manner in which libraries share materials. Instead of a statewide library card, that is in current statute and that has never been used due to lack of funding, this will allow libraries to voluntarily allow users of other libraries to use another library as a full library user. Some libraries around the state already allow users to use their "home public library card". This will actually encourage more libraries to do this.

This bill will also allow for flexibility in dealing with library issues involving resource sharing. Currently money is given to Montana libraries that lend materials to other Montana libraries. Unfortunately the cost of lending ILL materials keeps going up while the "pot of money" doesn't increase. There may be better, more efficient and more cost effective ways that this money could be used for resource sharing. The Fulfillment Task Force spent approximately two years in studying the use of this money and possible ways that it could be used that would benefit libraries and Montanans.

I urge you to vote "do pass" on HB 061.

Thank you.

Lois Fitzpatrick

Montana Library Association

406-447-4341 (v)

406-447-4525 (f)

406-431-6122 (c)

lfitzpat@carroll.edu

EXHIBIT 3
DATE 1-13-2009
HB HB 61

House Committee on Local Government

January 13, 2009

Testimony for HB 061 sponsored by Representative Jon Sesso

Madam Chair and Members of the Committee;

For the record my name is John Finn and I am the Director of the Hearst Free Library, the public library for the city and county of Anaconda-Deer Lodge. I stand in support of HB 061 sponsored by Representative Jon Sesso.

This legislation will change the state multi-library card to a statewide library access program. This would allow the creation of a voluntary statewide library access program whereby participating libraries may allow access to the library's materials and services by users from another library in the state using their own library's card. The current multi-library card in statute was never funded and has not been used.

I urge you to vote do pass on HB 061.

Thank you.

John Finn

Director

Hearst Free Library

401 Main Street
Anaconda, MT 59711-1281
(406) 563-6932

jfinn@mtlib.org

EXHIBIT 4
DATE 1-13-2009
HB HB 61

House Committee on Local Government

January 13, 2009

Testimony for HB 061 sponsored by Representative Jon Sesso

Madam.Chair and Members of the Committee;

For the record my name is Honore Bray and I am the Library Director of the Missoula Public Library. I was also a member of the Fulfillment Task Force for the Montana State Library. The Fulfillment Task Force was given the charge to discuss and recommend to the State Library whether or not to pursue this bill. As you heard from the State Librarian, this same legislation was put forth during the 2007 Legislative Session. The bill was withdrawn when it became obvious that not all libraries were in support of this legislation. Also, as you heard from the State Librarian, the State Library engaged in numerous activities around the state to make sure librarians understood this legislation. As you know, it is difficult to have complete acceptance of any piece of legislation, but the large majority of the librarians who responded to the survey are in support of this legislation.

This legislation proposes a change to the interlibrary loan reimbursement program language that would establish a statewide interlibrary resource-sharing program. This would allow the Montana State Library Commission to administer funds appropriated by the legislature to support and facilitate a broader scope of resource-sharing options among libraries in Montana.

The cost of postage has increased significantly over the past ten years, but unfortunately, library postage budgets have not increased enough to continue sending library materials to other libraries for their patrons to use. Libraries in Montana are dedicated to sharing resources. Libraries can not afford to purchase everything published or do they have room to shelve all the materials so libraries share materials. This is cost effective and also allows Montanans throughout the state to use the materials that they need.

.

I urge you to vote "Do Pass" on HB 061.

Thank you.

Honore Bray

Missoula Public Library

301 E. Main St.
Missoula, MT 59802
(406) 721-2665

BUSINESS REPORT

MONTANA HOUSE OF REPRESENTATIVES
61st LEGISLATURE - REGULAR SESSION

HOUSE LOCAL GOVERNMENT COMMITTEE

Date: Tuesday, January 13, 2009 **Time:** 3:00 pm
Place: Capitol **Room:** 172

BILLS and RESOLUTIONS HEARD:
Prefix (HB, HR, HJR, SB, SR, or SJR) and number. Add Postponed (PP) when appropriate:

HB 61, HB 181

EXECUTIVE ACTION TAKEN:
Prefix (HB, HR, HJR, SB, SR, or SJR) and number. Enter P(pass) F(failed) DPAA (do pass as amended) BC(be concurred in) BCAA (be concurred in as amended):

HB 181 - P

HB 45 - P

COMMENTS:

REP. Elsie Arntzen, Chairman

HOUSE OF REPRESENTATIVES
Roll Call
Local Government Committee

DATE: Jan. 13th 2009

NAME	PRESENT	ABSENT/ EXCUSED
Vice Chair MacLaren	X	
Vice Chair Hands	X	
Representative Becker	X	
Representative Bennett	X	
Representative Berry	X	
Representative Driscoll	X	
Representative Ebinger	X	
Representative Grinde	X	
Representative Hamilton	X	
Representative Ingraham	X	
Representative Menahan	X	
Representative More	X	
Representative Reichner	X	
Representative Reinhart	X	
Representative Sands		X
Representative Stahl		Excused
Representative Vance	X	
Chairman Arntzen	X	

HOUSE STANDING COMMITTEE REPORT

January 14, 2009

Mr. Speaker:

We, your committee on **Local Government** recommend that **House Bill 45** (first reading copy – white) **do pass**.

Signed: _____
Representative Elsie Arntzen, Chair

- END -

Committee Vote:
Yes 18, No 0
Fiscal Note Required __

HB0045001SC.hjd

HOUSE STANDING COMMITTEE REPORT

January 14, 2009

Mr. Speaker:

We, your committee on **Local Government** recommend that **House Bill 181** (first reading copy – white) **do pass**.

Signed: _____
Representative Elsie Arntzen, Chair

- END -

Committee Vote:
Yes 18, No 0
Fiscal Note Required __

HB0181001SC.hjd

AUTHORIZED
COMMITTEE PROXY

I request to be excused from the Local Government

Committee because of other commitments. I desire to leave my proxy vote with:

Rep Arlene Becker

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT	AYE	NO
HB 45	✓	
HB 181	✓	

BILL/AMENDMENT	AYE	NO

Rep. [signature] Date 1-13-09
(Signature)

AUTHORIZED
COMMITTEE PROXY

I request to be excused from the Local Government

Committee because of other commitments. I desire to leave my proxy vote with:

Rep Arlene Becker

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT	AYE	NO
HB 45	✓	
HB 181	✓	

BILL/AMENDMENT	AYE	NO

Rep. [signature] Date 1-13-09
(Signature)

Montana House of Representatives
Visitors Register

Local Government **Date** 1-13-2009

Bill No. HB 61 **Sponsor(s)** J. Sesso

PLEASE PRINT **PLEASE PRINT** **PLEASE PRINT**

Name and Address	Representing	Support	Oppose	Inf.
Judy Hart	LAC Library Bd, Broadwater Co Library Dist	X		
Howard Gray	Missoula Public Library, Tamarack Fed.	X		
Ron Moody	MSL Commission	X		
John Finn	Hearst Free Library Anaconda	X		
LINDA STOLL	MISSOULA COUNTY	✓		
Lois Fitzpatrick	MT. Lib Assn	X		

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

Montana House of Representatives
Visitors Register

Local Government **Date** 1-13-2009

Bill No. HB 181 **Sponsor(s)** K Peterson

PLEASE PRINT **PLEASE PRINT** **PLEASE PRINT**

Name and Address	Representing	Support	Oppose	Inf.
Richard Lansen Silvers	Water & Sewer District	✓		
Cary Hegreberg	Contractors	✓		
Bill Sloan		✓		

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

MINUTES

MONTANA HOUSE OF REPRESENTATIVES
61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON LOCAL GOVERNMENT

Call to Order: By Vice Chairman MacLaren, on January 20, 2009 at 3:00 P.M., in Room 172 Capitol.

ROLL CALL

Members Present:

Rep. Betsy Hands, Vice Chairwoman (D)
Rep. Gary MacLaren, Vice Chairman (R)
Rep. Arlene Becker (D)
Rep. Gerald Bennett (R)
Rep. Tom Berry (R)
Rep. Robyn Driscoll (D)
Rep. Bob Ebinger (D)
Rep. Wanda Grinde (D)
Rep. Robin Hamilton (D)
Rep. Pat Ingraham (R)
Rep. Mike Menahan (D)
Rep. Michael More (R)
Rep. Scott Reichner (R)
Rep. Michele Reinhart (D)
Rep. Diane Sands (D)
Rep. Gordon Vance (R)

Members Excused: Rep. Elsie Arntzen, Chairwoman (R)
Rep. Wayne Stahl (R)

Members Absent: None

Staff Present: Katie Butcher, Committee Secretary
Joe Kolman, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:
Hearing & Date Posted: HB 156, HB 183, HB 244
Executive Action: HB 61, HB 129

00:00:01 Call to order

HEARING ON HB 244

Opening Statement by Sponsor:

00:01:44 Rep. Duane Ankney (R), HD 43, opened the hearing on HB 244, Clarify law on absence by county officer.

Proponents' Testimony:

00:04:45 Harold Blattie, Executive Director, Montana Association of Counties(MACO)
EXHIBIT(loh13a01)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:08:07 Rep. Ingraham
00:08:34 Mr. Blattie
00:09:09 Rep. Ebinger
00:09:24 Mr. Blattie
00:09:57 Vice Chairman MacLaren
00:10:09 Rep. Ankney

Closing by Sponsor:

00:10:37 Rep. Ankney

(Rep. Stahl arrived)

HEARING ON HB 183

Opening Statement by Sponsor:

00:11:17 Rep. Dan Villa (D), HD 86, opened the hearing on HB 183, Restrict land use requirements from being placed and enacted on final plat.

Proponents' Testimony:

00:12:46 Sen. Dan McGee, SD 29
00:18:38 David Elias
EXHIBIT(loh13a02)

00:24:09 Warren Latvala
00:30:05 Joe Roberts, Montana Association of Registered Land Surveyors (MARLS)

Opponents' Testimony:

00:32:02 Linda Stoll, Montana Association of Planners, Montana Association of Clerk and Recorders, Missoula County
00:35:16 John MacDonald, City of Missoula
EXHIBIT(loh13a03)
00:36:46 Susie Browning, Commissioner, Granite County
00:39:50 Harold Blattie, Executive Director, Montana Association of Counties
00:43:51 Tim Davis, Montana Smart Growth Coalition

Informational Testimony: None

Questions from Committee Members and Responses:

00:45:43 Rep. Ebinger
00:46:17 Mr. Blattie
00:46:36 Rep. Ebinger
00:46:42 Mr. Davis
00:46:46 Rep. Ebinger
00:46:59 Mr. Davis
00:47:46 Rep. Stahl
00:47:57 Mr. Blattie
00:48:05 Rep. Stahl
00:48:21 Mr. Blattie
00:49:02 Rep. Stahl
00:49:33 Mr. Elias
00:50:08 Rep. Stahl
00:50:31 Mr. Elias
00:50:59 Rep. Stahl
00:51:25 Mr. Elias
00:51:55 Rep. Stahl
00:52:44 Mr. Elias
00:53:23 Rep. Stahl
00:53:30 Mr. MacDonald
00:53:38 Rep. Stahl
00:53:46 Mr. MacDonald
00:53:56 Rep. Stahl
00:54:16 Mr. MacDonald
00:54:33 Rep. Stahl
00:55:06 Mr. MacDonald
00:55:25 Rep. Reinhart
00:56:08 Mr. Elias
00:56:37 Rep. Reinhart
00:56:43 Mr. Elias

00:57:57 Rep. Reinhart
00:58:18 Mr. Elias
00:59:03 Rep. Reinhart
00:59:41 Mr. Elias
00:59:50 Rep. Reinhart
01:00:25 Mr. Elias
01:00:56 Rep. Reinhart
01:01:41 Mr. Elias
01:02:56 Rep. Reinhart
01:03:27 Mr. Elias
01:03:48 Rep. Reinhart
01:03:59 Mr. Elias
01:04:18 Rep. Ebinger
01:04:47 Mr. Elias
01:05:27 Rep. More
01:05:56 Mr. Elias
01:06:55 Vice Chair MacLaren
01:07:39 Mr. Elias

(Rep. Arntzen arrived)

Closing by Sponsor:

01:08:29 Rep. Villa

HEARING ON HB 156

Opening Statement by Sponsor:

01:12:25 Rep. JP Pomnichowski (D), HD 63, opened the hearing on HB 156, Uniform penalty and enforcement for zoning violations.

Proponents' Testimony:

01:18:45 Harold Blattie, Executive Director, Montana Association of Counties
EXHIBIT(loh13a04)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

01:19:52 Rep. Stahl
01:20:06 Mr. Blattie
01:20:31 Rep. Stahl

01:20:45 Mr. Blattie
01:21:30 Rep. Stahl
01:21:40 Mr. Blattie
01:22:03 Rep. Stahl

Closing by Sponsor:

01:22:24 Rep. Pomnichowski

01:24:40 Chairman Arntzen
01:25:09 Rep. Reinhart

EXECUTIVE ACTION ON HB 61

01:26:28 **Motion/Vote**: Rep. Ingraham moved that **HB 61 DO PASS.** Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 129

01:29:01 **Motion**: Rep. Reinhart moved that **HB 129 DO PASS.**

Discussion:

01:29:10 Rep. Ebinger

01:29:24 **Motion**: Rep. Reinhart moved that **HB 129 BE AMENDED.** **EXHIBIT(loh13a05)**

Discussion:

01:30:20 Rep. Reinhart
01:33:38 Vice Chairman MacLaren
01:33:41 Rep. Stahl
01:34:00 Rep. Reinhart
01:34:45 Joe Kolman, Legislative Services Division
01:35:17 Rep. Stahl
01:35:58 Vice Chairman MacLaren
01:36:09 Rep. Stahl
01:36:18 Rep. Reinhart
01:37:48 Rep. Stahl
01:38:14 Mr. Kolman
01:38:40 Lawrence Siroky, Department of Natural Resources (DNRC)
01:39:24 Rep. Stahl
01:39:40 Rep. Arntzen
01:40:29 Vice Chairman MacLaren

01:40:34 Rep. Ebinger
01:40:59 Rep. Arntzen
01:41:45 Rep. Ingraham
01:42:20 Mr. Kolman
01:44:22 Vice Chairman MacLaren
01:44:38 Rep. Arntzen
01:45:09 Vice Chairman MacLaren

01:45:13 **Vote**: Motion carried 15-3 by voice vote with Rep. Ingraham, Rep. More, and Rep. Vance voting no.

01:45:37 **Motion**: Rep. Reinhart moved that **HB 129 DO PASS AS AMENDED.**

Discussion:

01:45:56 Rep. Arntzen

01:46:48 Rep. Reinhart withdrew her motion without objection.

ADJOURNMENT

01:47:14 Adjournment

_____
KATIE BUTCHER, Secretary

kb

Additional Document:
Testimony from Gallatin County Commissioners on HB 183.

Additional Documents:

EXHIBIT(loh13aad.pdf)

BUSINESS REPORT

MONTANA HOUSE OF REPRESENTATIVES
61st LEGISLATURE - REGULAR SESSION

HOUSE LOCAL GOVERNMENT COMMITTEE

Date: Tuesday, January 20, 2009 **Time:** 3:00 pm
Place: Capitol **Room:** 455

BILLS and RESOLUTIONS HEARD:
Prefix (HB, HR, HJR, SB, SR, or SJR) and number. Add Postponed (PP) when appropriate:

HB 156, HB 183, HB 244

EXECUTIVE ACTION TAKEN:
Prefix (HB, HR, HJR, SB, SR, or SJR) and number. Enter P(pass) F(failed) DPAA (do pass as amended) BC(be concurred in) BCAA (be concurred in as amended):

HB 61 - Pass	

COMMENTS:
HB 129 was amended, but the do pass as amended motion was withdrawn.

REP. Elsie Arntzen, Chairman

HOUSE OF REPRESENTATIVES
Roll Call
Local Government Committee

DATE: 1/20/2009

NAME	PRESENT	ABSENT/ EXCUSED
Vice Chair MacLaren	X	
Vice Chair Hands	X	
Representative Becker	X	
Representative Bennett	X	
Representative Berry	X	
Representative Driscoll	X	
Representative Ebinger	X	
Representative Grinde	X	
Representative Hamilton	X	
Representative Ingraham	X	
Representative Menahan	X	
Representative More	X	
Representative Reichner	X	
Representative Reinhart	X	
Representative Sands	X	
Representative Stahl		X E
Representative Vance	X	
Chairman Arntzen		X E

HOUSE STANDING COMMITTEE REPORT

Mr. Speaker:

We, your committee on **Local Government** recommend that **House Bill 61** (first reading copy – white) **do pass**.

Signed: _____
Representative Elsie Arntzen, Chair

- END -

Committee Vote:
Yes 18, No 0
Fiscal Note Required __

HB0061001SC.hjd

Montana House of Representatives
Visitors Register

Local Government **Date** 1-20-2009

Bill No. HB 156 **Sponsor(s)** Rep. Pomnichowski

PLEASE PRINT **PLEASE PRINT** **PLEASE PRINT**

Name and Address	Representing	Support	Oppose	Inf.
Harold Blattie	MACO	✓		
[illegible]	~~MT Realtors~~		✓	
Linda Stoll	MAP	✓		

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

Montana House of Representatives
Visitors Register

Local Government **Date** 1-20-2009

Bill No. HB 244 **Sponsor(s)** Rep. Ankney

PLEASE PRINT **PLEASE PRINT** **PLEASE PRINT**

Name and Address	Representing	Support	Oppose	Inf.
Jerod Bathe	MMIC	✓		

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

Montana House of Representatives
Visitors Register

Local Government **Date** 1-20-2009

Bill No. HB 183 **Sponsor(s)** Rep. Villa

PLEASE PRINT **PLEASE PRINT** **PLEASE PRINT**

Name and Address	Representing	Support	Oppose	Inf.
John MacDonald	City of Missoula		✓	
DAVID ELIAS	SELF	✓		
WARREN LATVALA	SELF / MARLS	✓		
Joe Roberts	MARLS	✓		
Susie Brownlee	Granite Co.		✓	
[illegible]	[illegible]		✓	
TIM DAVIS	MSCC		✓	
LINDA STOLL	MT Assn of Planners, MT Assn of Clerks & Recorders	MISSOULA COUNTY	✓	
[illegible]	[illegible]	[illegible]		

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

Kolman, Joe

From: Harris, Mike [Mike.Harris@gallatin.mt.gov]
Sent: Tuesday, January 20, 2009 1:25 PM
To: Kolman, Joe
Subject: Testimony on HB 183
Attachments: ~$009.hb183.hlg.oppose.docx

Joe,

Attached is the testimony from Gallatin County on HB 183. Please get it to the committee for this afternoons hearing.

TESTIMONY FROM GALLATIN COUNTY COMMISSION REGARDING HOUSE BILL 183

January 20, 2009

Representative Elsie Arntzen, Chairwoman

House Local Government Committee

Madam Chair and Distinguished Members of the Committee:

On behalf of the people of Gallatin County I would like to urge your opposition to the adoption of House Bill 183 as introduced by Representative Villa.

The Gallatin County Commission has reviewed the proposed language and has made a majority decision to oppose the bill. We join the position of the Montana Association of Counties and feel that this legislation is not warranted as the bill as proposed purports to solve problems do not exist.

Moreover, the bill defines "land use" under the Subdivision and Platting Act in such a way as to ensure confusion and controversy over its implementation. We agree with MACo that solutions to the surveying communities' issues can be worked on through local practices.

We thank you for your careful consideration of this important issue and respectfully urge a "Do Not Pass" vote on HB 183. If you have any questions or concerns please feel free to contact: **Michael Harris, Gallatin County Legislative Liaison, 311 West Main, Room 304, Bozeman, MT 59715, Phone: 406/580-3029, Fax: 406/582-3003, Email: mike.harris@gallatin.mt.gov.**

Sincerely,

Michael Harris

Legislative Liaison

<<~$009.hb183.hlg.oppose.docx>>

Michael Harris

Conservation & Parks Director

Legislative Liaison

Gallatin County, Montana

311 West Main, Room 304

Bozeman, MT 59715

Phone: 406-582-3178

Fax: 406-582-3003

Cell: 406-580-3029

MINUTES

MONTANA SENATE
61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON LOCAL GOVERNMENT

Call to Order: Chairman John Esp, on March 4, 2009 at 3:00 P.M., in Room 405 Capitol

ROLL CALL

Members Present:
Sen. John Esp, Chairman (R)
Sen. Jeff Essmann, Vice Chairman (R)
Sen. Gregory D. Barkus (R)
Sen. Ron Erickson (D)
Sen. Steven Gallus (D)
Sen. Kim Gillan (D)
Sen. Verdell Jackson (R)
Sen. Bruce Tutvedt (R)

Members Excused: Sen. Jesse Laslovich (D)

Members Absent: None

Staff Present: Leanne Heisel, Legislative Branch
Debra Polhemus, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted:	HB 61, 2/20/2009; HB 181, 2/21/2009; HB 231, 2/23/2009; HB 273, 2/23/2009
Executive Action:	HB 61 ~ DO CONCUR HB 181 ~ DO CONCUR HB 273 ~ DO CONCUR

Chairman Esp left the hearing and Senator Erickson assumed Chair responsibilities.

HEARING ON HB 181

Opening Statement by Sponsor:

00:00:31 Rep. Ken Peterson (R), HD 46, opened the hearing on HB 181, Authorize design-build water and sewer districts.

Proponents' Testimony:

00:02:47 Richard Larsen, Billings
EXHIBIT(los48a01)
00:06:23 Carl Peters, Chairman, Lockwood Water and Sewer District
00:07:09 Cary Hegreberg, Montana Contractors Association (MCA)
00:08:37 Sen. Taylor Brown, SD 22
00:09:39 L. Harold Blattie, Executive Director, Montana Association of Counties (MACo)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:11:02 Sen. Barkus
00:11:40 Cary Hegreberg, MCA
00:13:02 Chairman Erickson
00:13:28 L. Harold Blattie, MACo

Closing by Sponsor:

00:14:44 Rep. Peterson

HEARING ON HB 273

Opening Statement by Sponsor:

00:16:01 Rep. Jesse O'Hara (R), HD 18, opened the hearing on HB 273, Revise costs related to search and rescue.

Proponents' Testimony:

00:19:29 Nanette Gilbertson, representing the Montana Peace Officers' Association
00:20:11 Mike McClosky, Commander, Cascade County Search and Rescue
00:23:22 Bob Wojciechowski, Corporal, Cascade County Search and Rescue
00:24:52 L. Harold Blattie, MACo

00:26:36 Sen. Laslovich arrived at hearing.

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

00:27:24 Rep. O'Hara

HEARING ON HB 61

Opening Statement by Sponsor:

00:29:56 Rep. Jon Sesso (D), HD 76, opened the hearing on HB 61, Revise interlibrary program.

Proponents' Testimony:

00:34:55 Darlene Staffeldt, Montana State Librarian
EXHIBIT(los48a02)
00:39:26 Kim Crowley, Director, Flathead County Library System
EXHIBIT(los48a03)
00:41:02 Judy Hart, Director, Lewis & Clark Public Library
EXHIBIT(los48a04)
00:42:08 John Finn, Director, Hearst Free Library, Anaconda/Deer Lodge
EXHIBIT(los48a05)
00:42:58 Lois Fitzpatrick, representing Montana Library Association

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:44:44 Sen. Barkus
00:45:24 Darlene Staffeldt
00:47:31 Chairman Erickson
00:47:58 Darlene Staffeldt

Closing by Sponsor:

00:49:12 Due to a prior commitment and without objection from the Committee, the Sponsor was allowed to leave the hearing before official closing. Sen. Gallus volunteered to assist with questions if needed.

EXECUTIVE ACTION ON HB 273

00:55:58 **Motion/Vote**: Sen. Essmann moved that **HB 273 BE CONCURRED IN.** Motion carried unanimously by voice vote with Sen. Esp voting by proxy. Sen. Laslovich will carry HB 273.

EXECUTIVE ACTION ON HB 181

00:57:34 **Motion**: Sen. Essmann moved that **HB 181 BE CONCURRED IN.**

Discussion:

00:57:42 Sen. Essmann
00:58:02 Sen. Barkus

00:59:16 **Vote**: Motion carried unanimously by voice vote with Sen. Esp voting by proxy. Sen. Taylor Brown will carry HB 181.

EXECUTIVE ACTION ON HB 61

01:00:00 **Motion/Vote**: Sen. Barkus moved that **HB 61 BE CONCURRED IN.** Motion carried unanimously by voice vote with Sen. Esp voting by proxy. Sen. Gallus will carry HB 61.

HEARING ON HB 231

Opening Statement by Sponsor:

01:01:32 Rep. Bill Glaser (R), HD 44, opened the hearing on HB 231, Revise laws on incorporation of cities and towns.

Proponents' Testimony:

01:07:10 Sen. Taylor Brown, SD 22

Opponents' Testimony:

01:11:57 Dave Galt, Director, Montana Petroleum Association (MPA), also speaking for Mary Whittinghill, Montana Taxpayers Association

Informational Testimony: None

Questions from Committee Members and Responses:

01:13:27 Sen. Laslovich
01:13:43 Dave Galt, MPA
01:14:04 Sen. Essmann
01:15:25 Rep. Glaser

01:19:37 Sen. Esp returned to Committee.

01:21:05 Sen. Essmann
01:21:54 Sen. Brown
01:24:21 Sen. Barkus
01:25:14 Sen. Brown
01:26:29 Sen. Tutvedt
01:27:06 Dave Galt
01:27:59 Chairman Erickson
01:28:26 Rep. Glaser
01:30:47 Sen. Esp
01:31:02 Rep. Glaser

Closing by Sponsor:

01:31:35 Rep. Glaser

Committee Business:

01:35:53 Senator Esp assumed Chair responsibilities from Senator Erickson.
01:35:59 Chairman Esp

ADJOURNMENT

Adjournment: 4:40 P.M.

_____
Debra Polhemus, Secretary

dp

Additional Documents:

EXHIBIT(los48aad.pdf)

SENATE LOCAL GOVERNMENT
EXHIBIT NO. 2
DATE 3.4.09
BILL NO. HB61

March 4, 2009

Chairman Esp, members of the Committee for the record my name is Darlene Staffeldt (S t a f f e l d t) and I am your State Librarian.

I am here today on behalf of the Montana State Library Commission to ask you to support HB 61. I want to thank Representative Sesso for his willingness to carry this piece of Legislation for us. The State Library Commission has directed me to move forward legislative revisions to the Information Access Montana statute as recommended by two of our statewide advisory groups (the Fulfillment Task Force and the Network Advisory Council).

Providing the best possible library services to all Montana citizens has always required Montana libraries to share their resources. Since 1989, when the Montana State Legislature first passed The Information Access Montana Act, many additional methods for sharing Montana's library resources have emerged. The Commission is asking for statute changes so that they have the flexibility to make current monies available for alternative resource sharing methods.

We are proposing to amend four sections of existing Montana library statues.

In Section 1 (MCA 22-1-301) we want to clarify the definition of public library in Montana by including public libraries established under Title 22 and Title 7. Although most Montana public libraries are established under title 22, we have a handful that were established under title 7 and we want to make sure that they can legally be included in our services and efforts.

In Section 2 (MCA 22-1-328) we propose a change to the interlibrary loan reimbursement program language that would establish a statewide interlibrary resource-sharing program. This would allow the Commission to administer funds appropriated by the legislature to support and facilitate a broader scope of resource-sharing options among libraries in Montana. Types of resource sharing options that could be consider but not limited to would include interlibrary loan reimbursement, shared catalogs, statewide bibliographic databases, cooperative collection development, courier or delivery services

In Section 3 (MCA 22-1-329) we propose to change the state multilibrary card program to a statewide library access program. This would allow the creation of a voluntary statewide library access program whereby a participating library <u>may</u> allow direct access to the library's materials and services by users from another libraries' service area population.

Section 4 (MCA 22-1-330) changes the titles of the programs for which the State Library Commission would retain rule making authority.

After the 2007 session when we realized that we did not necessarily have the support from our library community to make these statute changes, I established a 14 member Fulfillment Task Force of Librarians from across the state to study the issues and make recommendations for solutions and/or enhancements. The Task Force materials can be found on our website under the heading about MSL(at: http://www.msl.mt.gov/About_MSL/fulfillment_task_force/fulfillment_tf.asp) The Task Force worked for a little over a year from June 2007 until July 2008. Their recommendations were passed on to the Network Advisory Council and finally the State Library Commission.

Public input was formally requested three times during the Fulfillment Task study year, and then again three times since as the Commission made it's decision to move forward on the legislative changes. My staff and I traveled the state to meet with librarians and library trustees to further consider their input. Finally, in October, A formal online web survey was taken and although we still do not have 100% support of the legislative changes, we do have over 90% support. For some Montana libraries the current system is not broken and they do not see the bigger picture of how having more options can provide better library services for all Montanans, but the majority of Montana's librarians recognize the value in having the flexibility that the legislative changes will provide.

I request that this Committee support HB 61. I want to thank the Committee for their time today, as well as their efforts through the years for Montana's libraries and their users.

I would be glad to respond to any questions if you have any at any time.

Thank you

Written copy of Testimony presented to Senate Local Government Committee, Wednesday, March 4, 2009

From: Darlene Staffeldt
State Librarian
406-444-3116

SENATE LOCAL GOVERNMENT
EXHIBIT NO. 3
DATE 3.4.09
BILL NO. HB61

Senate Committee on Local Government
March 4, 2009
Testimony for HB 061 sponsored by Representative Jon Sesso

Chairman Esp and Members of the Committee:

For the record, my name is Kim Crowley and I am director of the Flathead County Library System. I am in support of HB 061.

This legislation will give more flexibility in helping libraries take advantage of resource sharing. As you may know, Montana libraries are funded well below the national average of $32.21 per capita. In the Flathead, as a matter of fact, we are funded at ½ of that amount--$16.00 per capita. I'm amazed and proud, however, of what ~~Montana Libraries~~ can offer their constituents with their current budgets. And all because of resource sharing.

Flathead County is a member of the Montana Shared Catalog as well as the Partner Resource Sharing Group. In Fiscal Year 08 Flathead County libraries loaned 20,315 items to other libraries around the state. We borrowed 39,444 items from libraries as far away as Miles City and Glendive. Our customers love having access to the over 500,000 items available through the Partners system and we hear from them daily how pleased they are.

~~Voting in favor of~~ HB061 will allow more libraries across the state to reap the benefits of this type of resource sharing as well as pave the way for more innovative projects. In these hard times it is essential to have the flexibility allowed by HB 61. I urge you to vote in favor of HB 61. Thank you.

Kim Crowley, Director
Flathead County Library System
247 First Ave E
Kalispell, MT 59901
406-758-5826
kcrowley@flathead.mt.gov

SENATE LOCAL GOVERNMENT
EXHIBIT NO. 4
DATE 3.4.09
BILL NO. HB61

Senate Committee on Local Government

March 4, 2009

Testimony for HB 061 sponsored by Representative Jon Sesso

Mr. Chairman and Members of the Committee;

For the record, my name is Judy Hart, and I am the Director of the Lewis & Clark Library, serving Helena and Lewis & Clark County. I am also the Coordinator for the Broad Valleys Federation of Libraries.

I stand in support of the bill and thank Representative Sesso for bringing this bill forward.

As you heard from the State Librarian, this legislation has been studied for the past two years by the Fulfillment Task Force and is also supported by the Network Advisory Council. This legislation will modernize the existing law, affording the State Library Commission more flexibility to enable libraries to share their resources with other libraries and Montanans throughout the state.

I urge you to vote "Do Pass" on HB 061.

Thank you.

Judy Hart

Director, Lewis & Clark Public Library

120 South Last Chance Gulch

Helena, MT 59601

447-1690 ext. 117

SENATE LOCAL GOVERNMENT
EXHIBIT NO. 5
DATE 3.4.09
BILL NO. HB 61

Senate Committee on Local Government

March 4, 2009

Testimony for HB 061 sponsored by Representative Jon Sesso

Chairman Esp and Members of the Committee;

For the record my name is John Finn and I am the Director of the Hearst Free Library, the public library for the city and county of Anaconda-Deer Lodge. I stand in support of HB 061 sponsored by Representative Jon Sesso.

This legislation will change the state multi-library card to a statewide library access program. This would allow the creation of a voluntary statewide library access program whereby participating libraries may allow access to the library's materials and services by users from another library in the state using their own library's card. The current multi-library card in statute was never funded and has not been used.

I urge you to vote do pass on HB 061.

Thank you.
John Finn

Director

Hearst Free Library

401 Main Street
Anaconda, MT 59711-1281
(406) 563-6932

jfinn@mtlib.org

BUSINESS REPORT

MONTANA SENATE
61st LEGISLATURE - REGULAR SESSION

SENATE LOCAL GOVERNMENT COMMITTEE

Date: Wednesday, March 4, 2009 **Time:** 3:00 pm
Place: Capitol **Room:** 405

BILLS and RESOLUTIONS HEARD:

HB 61 ~ HB 181 ~ HB 231 ~ HB 273

EXECUTIVE ACTION TAKEN:

HB61 – Do Concur
HB181 – Do Concur
HB273 – Do Concur

COMMENTS:

SEN. John Esp, Chairman

MONTANA STATE SENATE
ROLL CALL
LOCAL GOVERNMENT COMMITTEE

DATE: March 4, 2009

NAME	PRESENT	ABSENT/ EXCUSED
Chairman John Esp	✓	
Vice Chair Jeff Essmann	✓	
Senator Gregory Barkus	✓	
Senator Ron Erickson	✓	
Senator Steve Gallus	✓	
Senator Kim Gillan	✓	
Senator Verdell Jackson	✓	
Senator Jesse Laslovich		✓
Senator Bruce Tutvedt	✓	

SENATE STANDING COMMITTEE REPORT

Mr. President:

We, your committee on **Local Government** recommend that **House Bill 273** (third reading copy -- blue) **be concurred in**.

Signed: _____
Senator John Esp, Chair

To be carried by Senator Jesse Laslovich

- END -

Committee Vote:
Yes 9, No 0
Fiscal Note Required __

HB0273001SC01328.sdr

SENATE STANDING COMMITTEE REPORT

Mr. President:

We, your committee on **Local Government** recommend that **House Bill 181** (third reading copy -- blue) **be concurred in**.

Signed: _____
Senator John Esp, Chair

To be carried by Senator Taylor Brown

- END -

Committee Vote:
Yes 9, No 0
Fiscal Note Required __

HB0181001SC06463.sdr

SENATE STANDING COMMITTEE REPORT

Mr. President:

We, your committee on **Local Government** recommend that **House Bill 61** (third reading copy - - blue) **be concurred in**.

Signed: _____
Senator John Esp, Chair

To be carried by Senator Steven Gallus

- END -

Committee Vote:
Yes 9, No 0
Fiscal Note Required __

HB0061001SC00399.sdr

AUTHORIZED
SENATE COMMITTEE PROXY

I request to be excused from local Govt committee because of other commitments. I desire to leave my proxy vote with:

Sen. Jeff Essmann

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT	AYE	NO
HB 273		
do concur	✓	
HB 181		
do concur	✓	
HB 61		
do concur	✓	

BILL/AMENDMENT	AYE	NO

Sen. [signature] (Signature)

Sen. John Esp

Date 3/4/09

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VISITORS REGISTER

MONTANA SENATE
LOCAL GOVERNMENT

Date: March 4, 2009 Bill No: HB 181

Sponsor(s): Rep. Ken Peterson

(Authorize design-build water and sewer districts)

Please print ~ Please print ~ Please print

NAME	REPRESENTING	Support	Oppose	Informt'l
Richard Larsen	Richard Larsen Assoc.	✓		✓
CARL PETERS	LOCKWOOD WATER & SEWER	✓		
Cary Hegreberg	Contractors	✓		
Taylor Brown	SD 22	✓		
HAROLD BLATTIE	MACo	✓		

Please leave prepared testimony with Committee Secretary. Witness Statement forms are available if you prefer to submit written testimony.

VISITORS REGISTER

MONTANA SENATE
LOCAL GOVERNMENT

Date: March 4, 2009 Bill No: HB 273

Sponsor(s): Rep. Jesse O'Hara

(Revise costs related to search and rescue)

Please print ~ Please print ~ Please print

NAME	REPRESENTING	*Support*	*Oppose*	*Informt'l*
Bob Wojciechowski	Cascade Co Sheriffs office	✓		
Mike Mcelosky	Cascade City SOR	✓		
Nanette Gilbertson	MSFOA	✓		
Harold Blattie	MACo	✓		

Please leave prepared testimony with Committee Secretary. Witness Statement forms are available if you prefer to submit written testimony.

VISITORS REGISTER

MONTANA SENATE
LOCAL GOVERNMENT

Date: March 4, 2009 Bill No: HB 61

Sponsor(s): Rep. Jon Sesso

(Revise interlibrary program)

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NAME	REPRESENTING	Support	Oppose	Informt'l
Darlene Staffeldt	State Library Commission	yes		
Lois Fitzpatrick	MT. Lib. Assn	✓		
Kim Crowley	Flathead County Lib	✓		
Judy Hart	Lewis & Clark Lib	✓		
John Finn	Hearst Free Library Anaconda	✓		

Please leave prepared testimony with Committee Secretary. Witness Statement forms are available if you prefer to submit written testimony.

VISITORS REGISTER

MONTANA SENATE
LOCAL GOVERNMENT

Date: March 4, 2009 Bill No: HB 231

Sponsor(s): Rep. Bill Glaser

(Revise laws on incorporation of cities and towns)

Please print ~ Please print ~ Please print

NAME	REPRESENTING	Support	Oppose	Informt'l
Dave Cart	MPA		↘	
Taylor Brown	SD 22	✓		
Mary Ellen Stuckey Gulick	Montana Trappers Assn		✓	

Please leave prepared testimony with Committee Secretary. Witness Statement forms are available if you prefer to submit written testimony.